

The Honorable John C. Coughenour

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

NORTHWEST ENVIRONMENTAL  
ADVOCATES,

Plaintiff,

v.

THE U.S. DEPARTMENT OF COMMERCE, *et al.*,

Federal Defendants, and

THE STATE OF WASHINGTON,

Defendant-Intervenor, and

WASHINGTON STATE FARM  
BUREAU FEDERATION, *et al.*,

Defendant-Intervenors.

Case No. 2:16-cv-01866-JCC

STIPULATED MOTION  
TO EXTEND THE STAY

NOTED: August 10, 2020

This case has been stayed since April 26, 2019 (ECF No. 153) to allow the parties to explore settlement. Pursuant to the Court's most recent stay order, entered June 10, 2020 (ECF No. 169), Plaintiff Northwest Environmental Advocates, Federal Defendants the U.S.

Department of Commerce, *et al.*, Defendant-Intervenor the State of Washington, and Defendant

Intervenors Washington State Farm Bureau Federation and Washington Cattlemen's Association (collectively, the "Parties") now stipulate and move the Court to extend the existing stay an additional 90-days so that the parties can attempt to finalize an agreement to resolve this matter.

Since entry of the most recent order staying this case, the Parties have reached an agreement in principle on the merits of the case, which is subject to approval by the appropriate officials with the United States Environmental Protection Agency ("EPA") and the United States Department of Justice. While Federal Defendants have begun the requisite approval process, additional time is needed to finalize the agreement and obtain the necessary approvals by the appropriate officials within the federal government. Additionally, more time will be needed for EPA to put the proposed settlement out for a 30-day public comment period as well as time to review and analyze any comments received. Thus, an additional stay is necessary to allow the Parties an opportunity to resolve this matter through settlement. *See Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1110 (9th Cir. 2005) (district court should consider potential of "simplifying" issues of law, the "orderly course of justice" and the "hardship" to parties absent a stay in weighing discretion); *see also Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936) (district courts have inherent discretion to "control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants."). Accordingly, there is good cause for extending the temporary stay by 90-days so that the parties can attempt to finalize an agreement to resolve this matter.

So stipulated and respectfully submitted this 10th day of August 2020.

/s/ Allison LaPlante

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**CERTIFICATE OF SERVICE**

I, Briena Strippoli, hereby certify that, on August 10, 2020, I electronically filed the foregoing document in the above-captioned action with the Clerk of the Court using the CM/ECF system, which will send notice of such filing to all counsel of record in this matter.

/s/ Briena L. Strippoli  
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